

REMARKS

Summary

This Amendment is responsive to the Office Action mailed on January 13, 2005. Claims 1, 15, and 29-42 are amended. Claims 1-42 are pending.

As a preliminary matter, Applicants would like to thank the Examiner for the courteous and productive telephone interview held on January 26, 2005 (the Interview), details of which are set forth below.

As discussed during the Interview, the Examiner initialed but did not sign the 1449 form submitted with Applicants' Information Disclosure Statement. The Examiner is requested to forward an initialed and signed copy of the 1449 form for Applicants' records.

Claims 29-42 stand rejected under 35 U.S.C. § 101 as directed to nonfunctional descriptive material. Claims 29-42 are amended herein to overcome the rejection under 35 U.S.C. 101.

Claims 29-42 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Kadota (US 6,697,073).

Claims 1-28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shimada (US 6,654,136) in view of Kadota.

Applicants respectfully traverse these rejections in view of the amended claims and the following comments.

Discussion of Telephone Interview and Amended Claims

During the Interview, Applicants' counsel discussed with the Examiner the rejections based on Shimada and Kadota, and claim amendments that would serve to overcome these rejections. The claims are amended herein in accordance with proposed claim amendments reviewed with the Examiner during the Interview, which the Examiner agreed would serve to overcome the rejections based on Shimada and Kadota.

In particular, claim 1 is amended to specify that the USB device identifier is identical for all the peripheral devices of the model line. Independent claims 15 and 29 as originally filed

already include analogous subject matter. As the Examiner acknowledged in the Office Action Page 3, lines 2-3; page 5, line 8) and in the Interview, the identifier set forth in Kadota is unique for each printer.

Further, it was discussed with the Examiner that in Kadota, the port name, which is created by the computer from the unique name extracted from the printer, is not equivalent to a USB device identifier. As discussed with the Examiner, a USB device identifier is an identifier that is stored in a peripheral device, such as a printer, and used to identify the peripheral device to a host device, such as a personal computer, so that the host can determine which USB device driver should be loaded. At the Examiner's request, independent claims 1, 15, and 29 herein are amended to specify the function of the USB device identifier. In particular, the independent claims are amended herein to specify that the USB device identifier is used by the host device to select a USB device driver to load when the peripheral device is initially connected to the USB port. The Examiner indicated that this amendment would serve to further distinguish the claims over the disclosure of Kadota and Shimada.

It was further discussed with the Examiner that, by providing each peripheral device in a model line of peripheral devices with the identical USB device identifier, once a peripheral device from a model line was initially connected to the host device, this peripheral device could be disconnected and replaced with another peripheral device from the same model line, without causing the host device to search for, load, and/or initialize a new or the same device driver used for the initially connected device. Since the replacement peripheral device according to Applicants' invention has the same USB device identifier as the initially connected peripheral device, the host device will see the replacement peripheral device as being the same peripheral device that was initially connected thereto and can use the same driver which has already been loaded and initialized. In contrast, as indicated in Kondo, once one of the printers is disconnected from the computer, the process of requesting the unique name, initializing the path and creating the port name will need to be repeated (Col. 2, lines 48-51) and therefore a new driver will need to be identified and loaded. The Examiner indicated that this difference between Applicants' invention and Kadota was understood.

The Examiner also agreed that Shimada did not disclose that each peripheral device in a model line of peripheral devices was provided with the identical USB device identifier, as claimed by Applicants.

As discussed with the Examiner, claims 29-42 are amended into method claims in order to overcome the rejection under 35 U.S.C. § 101 as discussed and agreed with the Examiner.

In sum, the Examiner agreed that the claims as amended herein would overcome the rejections based on Shimada and Kadota and the rejections under 35 U.S.C. § 101. However, the Examiner reserved the right to conduct a further search for additional prior art material.

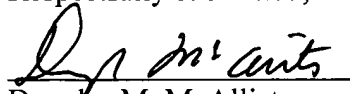
Accordingly, in accordance with the agreement reached during the telephone interview, Applicants respectfully request the withdrawal of the rejections under 35 U.S.C. § 101, 35 U.S.C. § 102(e), and 35 U.S.C. § 103(a).

Further remarks regarding the asserted relationship between Applicant's claims and the prior art are not deemed necessary, in view of the amended claims, the foregoing discussion and the agreement reached during the Interview. Applicants' silence as to any of the Examiner's comments is not indicative of an acquiescence to the stated grounds of rejection.

Conclusion

The Examiner is respectfully requested to reconsider this application, allow each of the pending claims and to pass this application on to an early issue. If there are any remaining issues that need to be addressed in order to place this application into condition for allowance, the Examiner is requested to telephone Applicants' undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D. M. McAllister", is written over a horizontal line.

Douglas M. McAllister
Attorney for Applicant(s)
Registration No.: 37,886
Lipsitz & McAllister, LLC
755 Main Street
Monroe, CT 06468
(203) 459-0200

ATTORNEY DOCKET NO.: TRA-126

Date: February 8, 2005